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E.O. 12958: DECL: 09/06/2016

TAGS: KTFN PTER TU

SUBJECT: TERRORISM FINANCE: TURKISH GOVERNMENT APPEALS  
AL-QADI DECISION

REF: ANKARA 5001

Classified By: Economic Counselor Tom Goldberger. Reasons  
1.4 (b) and (d).

¶1. (C) Further to ref, MFA DDG Huseyin Bicakli confirmed that on September 5, the MFA and Prime Ministry filed an appeal of the July Danistay (Council of State) ruling that invalidated the 2001 Council of Ministers order that freezed Yassin al-Qadi's assets in Turkey pursuant to UNSCR 1267. Bicakli said the Ministry of Finance would file a similar brief. Bicakli said this is the first of several levels of potential appeal within the judicial system. Another MFA official told us that one of the four judges on the panel that ruled in July dissented, and yesterday's filings appealed based on the dissenting judge's opinion. MFA also confirmed that al-Qadi's assets remain frozen, therefore honoring Turkey's obligation under SR 1267.

¶2. (C) Comments: The filing confirms what MFA officials had told us, i.e. that the Prime Minister's statements expressing personal sympathy for al-Qadi do not represent official government policy. The filing demonstrates that the Turkish government is committed to honoring its obligations under UN Security Council resolution 1267 to freeze the assets of UN-designated terrorist financiers.

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